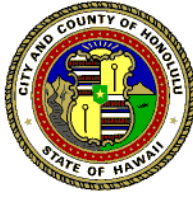


ETHICS COMMISSION  
**CITY AND COUNTY OF HONOLULU**

715 SOUTH KING STREET, SUITE 211, HONOLULU, HAWAII 96813-3091  
Phone: (808) 768-7786 · Fax: (808) 768-7768 · EMAIL: [ethics@honolulu.gov](mailto:ethics@honolulu.gov)  
Internet: [www.honolulu.gov/ethics](http://www.honolulu.gov/ethics)

PETER B. CARLISLE  
MAYOR



CHARLES W. TOTTO  
EXECUTIVE DIRECTOR & LEGAL COUNSEL

**November 13, 2012**

**FOR IMMEDIATE RELEASE**

**THE HONOLULU ETHICS COMMISSION  
IMPOSES \$813.53 FINE ON FORMER COUNCILMEMBER  
ROD TAM FOR INAPPROPRIATE MEAL EXPENDITURES**

The Honolulu Ethics Commission found that former Councilmember Rod Tam misused City resources when he sought reimbursement from his Annual Contingency Allowance for discretionary expenditures in the amount of \$813.53. Mr. Tam used \$585.93 of City money to pay for 114 appreciation lunches consisting of bentos, chips and sandwiches, and Chinese take out for City employees decorating Honolulu Hale for Christmas 2010 and \$227.60 of City money to pay for a Chinese dinner for foreign delegates.

According to the Commission, for a meal to qualify for Allowance reimbursement, the meal has to be reasonable, necessary and directly related to a discussion of a Council matter or a councilmember's duty, including dealing with a constituent concern. Mr. Tam was unable to show the Commission during an investigatory hearing that his claims for reimbursement met the criteria.

Mr. Tam claimed that the \$585.93 in meal expenditures were authorized because they were an opportunity to network with City employees to discuss morale, clarification of job descriptions, and working conditions for budget setting purposes. After Mr. Tam was unable to present any credible evidence to show what specific information he obtained from these discussions or that the information was actually used in any way in his duties as a councilmember, the Commission found that the 114 meals were simply "appreciation lunches." Mr. Tam originally claimed in 2010 that the lunches were to thank the workers who decorated Honolulu Hale for Christmas and not community meetings as later argued by Tam.

Mr. Tam justified a \$227.60 reimbursement from the Allowance for dinner at Empress Restaurant on January 13, 2010, for foreign delegates to "formulate international diplomatic relations." But, he was also unable to present any credible evidence of subsequent actions on his part or by the Chinese delegation which would have corroborated his assertion that the dinner was in fact for the purpose of establishing a sister City relationship.

This case follows the Commission's prior action against Mr. Tam also related to inappropriate Allowance reimbursements, in which the Commission approved a settlement between its staff and Mr. Tam. Mr. Tam denied any wrongdoing, but agreed to pay the city \$11,700 in restitution and \$2,000 in civil fines. Advisory Opinion No. 2010-2 discussed the reimbursements to Mr. Tam from July 1, 2006 through June 30, 2009. The Commission retained jurisdiction over his use of the Allowance after June 30, 2009 and resolved those remaining issues in this case. The two-year hiatus for setting an investigatory hearing in this matter was pursuant to a request from Mr. Tam's criminal defense attorney pending resolution and sentencing of Mr. Tam's criminal case in November 2011, regarding charges of false claims for food and restaurant bills related to the allegations in Advisory Opinion No. 2010-2.

Mr. Tam was termed out of office at the end of December 2010.

A copy of Advisory Opinion No. 2012-6 is available at:  
<http://www1.honolulu.gov/ethics/advisoryopinions.htm>

The Commission speaks through its advisory opinions and staff members are not allowed to discuss the Commission's deliberations. Questions about the Commission and its process may be directed to Chuck Totto at (808) 768-7786 or ctotto@honolulu.gov.